

COPY

705-0008

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

STIPULATED AGREEMENT NO. 1117

This agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission ("COMMISSION"), the Illinois Central Railroad Company ("COMPANY"), Coles County ("COUNTY"), and the State of Illinois, Department of Transportation ("DEPARTMENT").

WITNESSETH:

WHEREAS, it has come to the attention of the Commission through application for assistance from the Grade Crossing Protection Fund that inquiry should be made into the matter of improving public safety at the County Highway highway-rail grade crossing of the Company's track near Dorans, in Coles County, Illinois, designated as crossing AAR/DOT 289 135G, milepost 167.40-M; and

WHEREAS, proper investigation has been made of the circumstances surrounding the aforesaid crossing by a representative of the Commission's Transportation Division Railroad Section; and

WHEREAS, the physical aspects, including geometrics of the intersection, train movements, vehicular traffic volume, and sight distances and other pertinent data relating to the crossing have been obtained and shown on Exhibit A, attached to the Agreement; and

WHEREAS, the parties are mutually agreeable to accomplish the proposed improvements upon a determination of the Commission by Order.

NOW, THEREFORE in consideration of the premises and of the mutual covenants and agreements as hereinafter contained the parties pray that the Commission enter an Order according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law requiring that certain improvements as hereinafter stated be made and that the cost for the proposed improvements be divided among the parties according to law and that in the interest of the traveling public the Grade Crossing Protection Fund of the Motor Fuel Tax Law be required to bear a substantial portion of the cost; To Wit the parties agree as follows:

Section 1 All improvements encompassed by this Agreement shall be made in accordance with all applicable State laws, rules, standards, regulations and orders and procedures in general.

DOCKETED

Section 2 The parties are of the opinion that the proper improvements in the interest of public safety at the aforesaid crossing should be:

- (a) Install new automatic flashing light signals and gates (AFLS/Gates) controlled by constant warning time circuitry, and equipped with an event recorder and a remote monitoring system.

Section 3 The Company has prepared (a) preliminary estimate(s) of cost to accomplish the proposed safety improvements, which it may be required to perform. Execution of the Agreement by the Department will be considered as its acceptance and approval of all drawings, circuit plans and required specifications, attached hereto as Exhibit B.

Section 4 The Company shall upon Order, according to the requirements contained therein, proceed toward the completion of the proposed improvements, accomplishing the work with its own forces or appropriate contracted services and agrees that an appropriate time for the completion of the proposed improvements should be twelve (12) months from the date of a Commission Order subsequent to this Agreement.

Section 5 The parties agree that an equitable division of cost for the proposed improvements should be as follows:

COST DIVISION TABLE:

IMPROVEMENT	EST. COST	GCPF	COUNTY	COMPANY	IDOT
Install new Automatic Flashing Light Signals and Gates, controlled by CWT Circuitry	\$141,750	(50%) \$70,875 ¹	\$0	Remainder ²	\$0

Notes:

¹ Total Grade Crossing Protection Fund (GCPF) assistance not to exceed \$70,875; upon petition to, and approval by the Commission, any installation costs above the estimated amount of \$141, 750 will be divided between the GCPF and the Company in the same percentages noted above.

² Company responsible for all future operating and maintenance costs associated with the new automatic warning devices.

³ Company responsible for all future maintenance costs associated with the crossing surfaces.

⁴ County responsible for all future maintenance costs associated with the highway approaches.

Section 6 The County is not required to pay any portion of the cost for the proposed improvements.

Section 7 Special Provisions: Since the warning device improvement at the subject crossing will be performed by railroad crews, no flagging or contractor liability insurance will be required for said work.

The Commission should grant a variance from the grade requirements of 92 Illinois Administrative Code Part 1535.204 to the County, and the County should be allowed to maintain the west highway approach to the existing grade (See Exhibit A, page 2). The proximity of U.S. Route 45 to the crossing prohibits improvement of the grade without altering the profile of US 45.

The Company and the County shall each complete and submit the Project Manager Information portion of the Project Status Report sheet, attached as Exhibit C, along with this executed Agreement.

The Company shall, at six (6) month intervals from the date of Commission Order subsequent to this Agreement, submit to the Director of Processing and Information, Transportation Bureau of the Commission, a Project Status Report, attached as Exhibit C, regarding the progress it/each has made toward completion of the work herein required. Each Project Status Report shall include the Commission Order number, the Order date, the project completion date as noted in the Order, crossing information (inventory number and railroad milepost), type of improvement, and the name, title, mailing address, phone number, facsimile number, and electronic mailing address of the Company Project Manager.

All bills for expenditures authorized for reimbursement from the Grade Crossing Protection Fund shall be submitted to the Fiscal Control Unit, Bureau of Local Roads and Streets, Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, Illinois 62764. The Department shall send a copy of all bills to the Director of Processing and Information, Transportation Division of the Commission. The final bill for expenditures from each party shall be clearly marked "Final Bill". All bills shall be submitted no later than twenty-four (24) months from the date of Commission Order subsequent to this Agreement. The Department shall, at the end of the 24th month from the Commission Order date, de-obligate all residual funds accountable for installation cost for this project.

Section 8 This Agreement shall be binding upon the parties hereto, their successors or assigns. Upon execution of this Agreement by all parties, the Commission shall enter an appropriate order, within 60 days accepting or rejecting such stipulation according to the provisions contained herein.

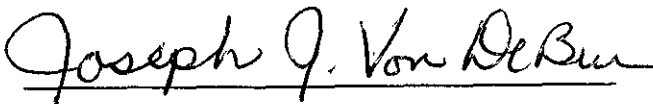
In Witness Whereof, the parties have caused this Agreement to be executed by their duly authorized officers, as of the dates indicated herein.

Executed by the Commission this 2nd day of December, 2004.



Michael E. Stead
Rail Safety Program Administrator

Attest:



Joseph J. Von De Bur
Railroad Safety Specialist

Illinois Commerce Commission Stipulated Agreement No. 1117 concerning improvements at the at the CH22/Dorans Road/1200N (AAR/DOT #289 135G; milepost 167.40-M) highway-rail grade crossing of the Illinois Central Railroad Company's tracks, located near Dorans, Coles County, Illinois.

Executed by the COMPANY this 13 day of December 2004.

ILLINOIS CENTRAL RAILROAD COMPANY

By: Paul E. Ladue
Paul E. Ladue
Region Director
Contracts & Administration

Witness:

John H. Munn

APPROVED AS TO FORM	
Materials Management	
Engineering	<i>T.R. [Signature]</i>
Accounting	
Law	<i>[Signature]</i>
EXECUTION	
Law	

Illinois Commerce Commission Stipulated Agreement No. 1117 concerning improvements at the at the CH22/Dorans Road/1200N (AAR/DOT #289 135G; milepost 167.40-M) highway-rail grade crossing of the Illinois Central Railroad Company's tracks, located near Dorans, Coles County, Illinois.

Executed by the Department this 25th day of January 2004.⁵

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: Victor A. Modeer
Director of Highways

Illinois Commerce Commission Stipulated Agreement No. 1117 concerning improvements at the at the CH22/Dorans Road/1200N (AAR/DOT #289 135G; milepost 167.40-M) highway-rail grade crossing of the Illinois Central Railroad Company's tracks, located near Dorans, Coles County, Illinois.

Executed by the COUNTY this 7th day of February 2005.

COLES COUNTY

By: *Paul J. Shum*

Attest:

RECEIVED
FEB 10 2005

Illinois Commerce Commission
RAIL SAFETY SECTION

**ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT
CROSSING DATA FORM**

GENERAL INFORMATION: See Location Sketch

RAILROAD	Canadian National/Illinois Central Railroad Company
USDOT#, MILEPOST	289 135G, 167.40-M
STREET, CITY, COUNTY	1200N/CH22/Dorans Road, Dorans, Coles County
JURISDICTION (RDWY)	Coles County
LOCATION	Rural, Commercial
STREET SURFACE	Two Lane, Two Way (E-W), 21 Feet Wide, Concrete

CROSSING DATA: See Location Sketch for roadway profile and track centers

TRACKS	SURFACE TYPE	SURFACE LENGTH	SURFACE CONDITION
Main (West)	Full Depth Timber	34 Feet	Good
Siding (East)	Full Depth Timber	34 Feet	Good

ROADWAY DATA: See Location Sketch

INTERSECTING ROADS:	US Route 45 – 121 feet west
TRAFFIC CONTROL	Stop Sign at US 45 for westbound 1200N traffic
ADT & SPEED	350 Vehicles Per Day @ 30 MPH (assumed)
TRAFFIC TYPE	Passenger, Possible School Busses, Possible Hazardous Materials, Possible Emergency Vehicles
ADVANCE WARNING	None
PAVEMENT MARKING	None

RAILROAD DATA: See Location Sketch

FREIGHT TRAFFIC	21 Per day @ 60 MPH, No Switch Movements, Day & Night
PASSENGER TRAFFIC	4 per day @ 79 MPH
WARNING DEVICES	Automatic Flashing Light Signals and Gates (AFLS&G), Bell (NE)

NOTES:

VISIBILITY STUDY: See Location Sketch

Train Speed	79	MPH
Roadway Speed	30	MPH
Required Stopping Sight Distance (SSD)		
Along Roadway	210	FEET
Along Tracks	760	FEET
Required Clearing Sight Distance (CSD) (Along Tracks)	1890	FEET

Distances calculated per American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, 2001, Fourth Edition.

QUADRANT	CSD (FT)	OBSTRUCTION	SSD (FT)	OBSTRUCTION
NE	*		*	
NW	*		*	
SE	*		*	
SW	*		*	

*Note: The installation of automatic flashing light signals and gates eliminates the need to satisfy minimum Sight Distance criteria.

APPROACH GRADES: See Location Sketch

DIRECTION: WEST			DIRECTION: EAST/SOUTH		
DISTANCE (FT)	ELEVATION (FT)	GRADE (%)	DISTANCE (FT)	ELEVATION (FT)	GRADE (%)
0	100.0	---	28.5*	98.8	-4.2
25	99.0	-4.0	53.5	98.9	+0.4
50	97.3	-6.8	78.5	97.7	-4.8
100	94.7	-5.2	128.5	95.8	-3.8

Distance measured from westernmost rail.

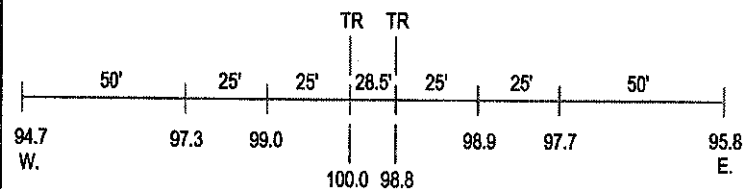
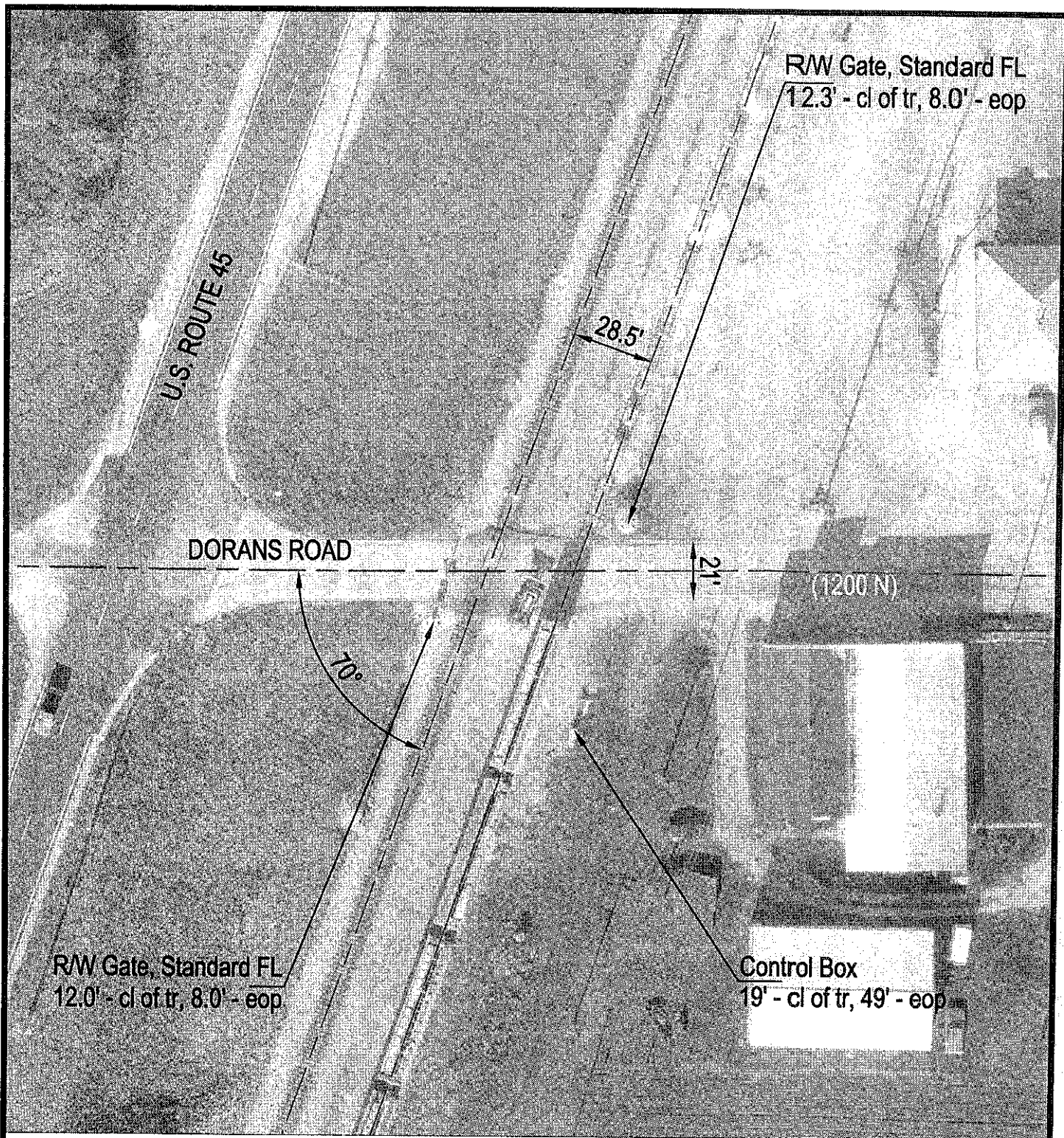
* Location of easternmost rail.

COMMENTS:

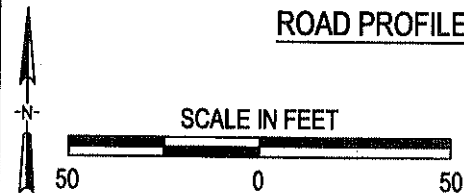
Proposed improvements include a circuitry upgrade. (Cost Division = 50% GCPF, 50%=CNIC)

West approach does not meet the minimum requirements of 92 Illinois Administrative Code, Part 1535. 204. Proximity of US45 to crossings renders improvement of west approaches cost prohibitive; requires changing profile of US45.

See Page 3 for a Location Sketch (Aerial Photo) of the crossing.



ROAD PROFILE



Crossing #: 289135G
 Location: Coles Co., City of Dorans (N)
 Lat/Long: 39°33'00" / 88°20'39"
 Railroad: IC
 Street: Dorans Road (1200 N)
 Railroad Milepost: 167.40
 Crossing Protection: Train Activated Devices

ILLINOIS CENTRAL RAILROAD
ENGINEERING DEPARTMENT
SIGNALS AND COMMUNICATIONS

Dorans, IL

Est 1009-403

Estimated cost of Signal work to upgrade warning devices at CH 22.

Central Division

Val Sec IL-1

ITEM DESCRIPTION	QUANTITY	UNIT	UNIT COST	TOTAL COST
FAPG				

LANDFILL	1.	LOT @	800.00	800.00
MISC.SIGNAL MATERIAL	1.	L.S. @	500.00	500.00
<u>CROSSING MATERIALS PACKAGE</u>				
GCP3000D2,80110-112-IPI	1.	EACH @	26373.00	26373.00
SERIAL EVENT ANALYZER/REC	1.	EACH @	2275.00	2275.00
RECORDER INTERFACE,80255	1.	EACH @	130.00	130.00
RECTIFIER,NRS15110,20A	1.	EACH @	455.00	455.00
RECTIFIER,NRS18120,40A	1.	EACH @	660.00	660.00
XING CONTROLLER,40A,91190	1.	EACH @	3934.00	3934.00
INTELLIGENT CURRENT SENSOR	2.	EACH @	355.00	710.00
NARROW BAND SHUNT,62775-1543	2.	EACH @	523.00	1046.00
RELAY,ST,500 OHM,400004	1.	EACH @	663.00	663.00
BIDIR SIMULATOR,62664-211	2.	EACH @	690.00	1380.00
PSO BATTERY CHOKE,7A360	2.	EACH @	253.00	506.00
AC/DC TRACK CIRCUIT	1.	EACH @	550.00	550.00
FLX-4000 & GATE ASSY,2-WAY	2.	EACH @	6833.00	13666.00
ARM,EZ-GATE,16-24'	2.	EACH @	569.00	1138.00
GATEKEEPER,SK-1000	2.	EACH @	1975.00	3950.00
BELL,ELECTRONIC	1.	EACH @	234.00	234.00
BATTERY,NI-CAD,240AH	20.	EACH @	256.00	5120.00
FOUNDATION,S2 4FT-6IN HI	2.	EACH @	404.00	808.00
BOX, BATTERY, 6 CELL	2.	EACH @	428.00	856.00
PRE-WIRED ALUM HOUSE,6X6'	1.	EACH @	13450.00	13450.00
WIRE,2c/6,T10456	1000.	FEET @	0.44	440.00
CABLE,3c/6,TECK,T10458	200.	FEET @	2.12	424.00
CABLE,5c/14,T02096	200.	FEET @	0.40	80.00
CABLE,7c/6,9c/14,T12481	300.	FEET @	3.05	915.00
5 MAN GANG	8.	DAY @	1100.00	8800.00
PRELIMINARY ENGINEERING	1.	L.S. @	2500.00	2500.00
CONSTRUCTION ENGINEERING	1.	L.S. @	275.00	275.00
CONTRACT ENGINEERING	1.	L.S. @	5000.00	5000.00

Dorans, IL

Est 1009-403

SUMMARY

MATERIAL	81063.00 *
HANDLING 0.0610	4944.84
CROSSING SYSTEM HANDLING	3000.00
CROSSING SYSTEM WIRING	6000.00
LABOR	8800.00 *
ENGINEERING	2775.00
CONTRACT ENGINEERING	5000.00
ACCOUNTING	200.00
COMPOSITE ADD.-DIRECT LABOR 1.0706	9421.28
COMPOSITE ADD.-ENG 1.0088 -ACCT 1.0706	3013.54
SUBSISTENCE	2000.00
RENTAL OF EQUIPMENT	1600.00
POWER TAP	1500.00
CONTINGENCIES	12432.34

TOTAL COST	141750.00

**ILLINOIS COMMERCE COMMISSION
TRANSPORTATION DIVISION / RAIL SAFETY SECTION**

PROJECT STATUS REPORT

TYPE: (CHECK ONE)

PROGRESS	
COMPLETION ¹	

DATE	
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PROJECT INFORMATION:

Reporting Party:	
Docket/Order #; Date:	
Status Reports Due:	
Ordered Completion Date:	
Completion Report Due ¹ :	
AAR/DOT#, RR Milepost:	289 135G, 167.40-M
Street, (in/near) City, County:	County Highway (CH) 22/Dorans Road/1200N; near Dorans, Coles County
Railroad Company:	Illinois Central Railroad Company

¹Completion reports involving changes to the railroad crossing must include an updated USDOT Inventory Form.

PROJECT MANAGER INFORMATION²:

Name:	
Title:	
Representing:	
Street Address:	
City, State, Zip:	
Office Phone:	
Office Fax:	
Cellular Phone:	
E-Mail Address:	

²Project Manager information to be submitted by Coles County and the Canadian National/Illinois Central Railroad Company.

DESCRIPTION OF IMPROVEMENTS ORDERED:

Installation of new automatic flashing light signals and gates (AFLS/Gates) controlled by constant warning time circuitry.

STATUS OF WORK: (use additional blank sheet, if necessary)

Mail directed to the **Rail Safety Section** or the **Director of Processing and Information**, Transportation Bureau of the Commission should be addressed to:

Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701-1827

If you have questions contact:

Joe Von De Bur, Railroad Safety Specialist
Phone: 217/557-1286
Email: jvondebu@icc.state.il.us

A **Form 3 Petition** can be obtained from the Illinois Commerce Commission by calling 217/782-7660 or on the web at:

<http://www.icc.state.il.us/hq/library.aspx?key=Railroad%20Safety>

United States Department of Transportation Inventory Form #6180.71 can be obtained on the web at:

<http://safetydata.fra.dot.gov/OfficeofSafety/Forms/Default.asp>

Submit Inventory forms to:

Federal Railroad Administration Office of Safety 1120 Vermont Avenue, NW Washington, DC 20590	<u>And</u>	Chief of Data Services Illinois Department of Transportation 2300 S. Dirksen Parkway, Room 318 Springfield, IL 62764
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